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George Likourezos 9321 Ridge Boulevard Brooklyn, NY 11209			GRAHAM, CLEMENT B	
			ART UNIT	PAPER NUMBER
				3628

DATE MAILED: 09/08/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/044,075	LIKOUREZOS ET AL.	
	<b>Examiner</b> Clement B Graham	<b>Art Unit</b> 3628	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

1)  Responsive to communication(s) filed on 11 January 2002.

2a)  This action is **FINAL**.                            2b)  This action is non-final.

3)  Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## **Disposition of Claims**

4)  Claim(s) 1-27 and 32-71 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5)  Claim(s) \_\_\_\_\_ is/are allowed.

6)  Claim(s) 1-27 and 32-71 is/are rejected.

7)  Claim(s) \_\_\_\_\_ is/are objected to.

8)  Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

9)  The specification is objected to by the Examiner.

10)  The drawing(s) filed on \_\_\_\_\_ is/are: a)  accepted or b)  objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)  The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a)  All    b)  Some \* c)  None of:  
1.  Certified copies of the priority documents have been received.  
2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3.  Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1)  Notice of References Cited (PTO-892)  
2)  Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3)  Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 9.  
4)  Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_.  
5)  Notice of Informal Patent Application (PTO-152)  
6)  Other: \_\_\_\_.

## DETAILED ACTION

### Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-7, 11-17, 21-22, 25-27, 32-36, 40, 42-51, 53-58, 60-67, 69-71, are rejected under 35 U.S.C. 102(e) as being anticipated by Bogosian et al (Hereinafter Bogosian U.S Patent 6,760, 470).

As per claim 1, Bogosian discloses a method for effecting payment for at least one item offered for sale by a seller and purchased by a buyer via an electronic auction web site, where the electronic auction web site is accessible by a plurality of users and maintained by an electronic auction system, the method comprising the steps of sending an e-mail by the electronic auction system to the buyer of the at least one item.(see column 13 line 65 and column 14 line 5) and receiving, via one of the electronic auction web site and the e-mail, at least one input from the buyer indicating an initiation to effect payment.(see column 13 line 65 and column 14 line 5) and receiving, via one of the electronic auction web site and the e-mail, at least one input from the buyer indicating an initiation to effect payment.(see column 13 line 65 and column 14 line 5 and see column 5 lines 35-55) and providing a payment page to the buyer after receiving the at least one input from the buyer.(see column 13 line 65 and column 14 line 5 and see column 5 lines 35-55) and receiving, via the payment page, authorization from the buyer to deduct funds from a payment account corresponding to the buyer. (see column 5 lines 35-55) and deducting funds from the payment account corresponding to the buyer. (see column 5 lines 35-55) and using at least a portion of the deducted funds to effect payment to at least the seller, wherein the method for effecting payment does not provide for any interaction between the buyer and the seller. (see column 5 lines 35-55).

As per claim 2, Bogosian discloses, further comprising the step of using at least another portion of the deducted funds to effect payment to are operator of the electronic auction system.(see column 13 lines 50-55).

As per claim 3, Bogosian discloses, further comprising the step of sending an e-mail to at least the seller indicating that payment has been made by the buyer.(see column 5 lines 35-55).

As per claim 4, Bogosian discloses, wherein the e-mail sent to the seller contains a link to a web site for leaving comments regarding the payment transaction between the buyer and the seller. (see column 13 line 65 and column 14 line 5).

As per claim 5, Bogosian discloses wherein the payment page includes a plurality of fields and further comprising the steps of:  
receiving information from the seller and automatically filling out at least a group of the plurality of fields using at least the information received from the seller. (see column 13 lines 50-55).

As per claim 6, Bogosian discloses, wherein the plurality of fields consist of a sales tax field, and a shipping and handling field.(see column 13 lines 50-60).

As per claim 7, Bogosian discloses wherein the step of sending the e-mail occurs after an auction conducted by the electronic auction system for the at least one item has closed. (see column 13 line 65 and column 14 line 5).

As per claim 11, Bogosian discloses, wherein the method comprises the following steps prior to the step of receiving the at least one input from the buyer activating a character recognition mode and receiving characters corresponding to a portion of a hyperlink provided on the email and recognizing the received characters as corresponding to the portion of the hyperlink.(see column 13 line 65 and column 14 line 5 interpretive as claimed).

As per claim 12, Bogosian discloses a method for effecting payment for at least one item offered for sale by a seller and purchased by a buyer via an electronic auction web site, where the electronic auction web site is accessible by a plurality of users and maintained by an electronic auction system, the method comprising the steps of sending an e-mail by the electronic auction system to the buyer of the at least one

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item. (see column 13 line 65 and column 14 line 5) and receiving, via one of the electronic auction web site and the e-mail, at least one input from the buyer indicating an initiation to effect payment.(see column 13 line 65 and column 14 line 5) and providing a payment page to the buyer after receiving the at least one input from the buyer.(see column 13 line 65 and column 14 line 5) receiving, via the payment page, authorization from the buyer to effect payment to the seller of the at least one item. (see column 5 lines 35-55) and effecting payment to at least the seller of the at least one item. (see column 5 lines 35-55).

As per claim 13, Bogosian discloses further comprising the steps of deducting funds from the at least one payment account corresponding to the buyer and transferring at least a portion of the deducted funds to at least one account corresponding to the seller. (see column 5 lines 35-55).

As per claim 14, Bogosian discloses further comprising the step of sending an e-mail to the seller indicating that payment been made by the buyer.

As per claim 15, Bogosian discloses wherein the method for effecting payment does not provide for any interaction between the buyer and the seller, and wherein the e-mail is sent automatically by the electronic auction system without receiving any input from the seller or the buyer after a determination is made by the electronic auction system as to the identity of the buyer. .(see column 5 lines 35-55 and column 13 line 65 and column 14 line 5).

As per claim 16, Bogosian discloses a method for effecting payment for at least one item offered for sale by a seller and purchased by a buyer via an electronic auction web site, where the electronic auction web site is accessible by a plurality of users and maintained by an electronic auction system, the method comprising the steps of receiving, via one of the electronic auction web site and an e-mail transmitted by the electronic auction system, at least one input from the buyer indicating an initiation to effect payment and effecting payment to the seller.(see column 5 lines 35-55 and column 13 line 65 and column 14 line 5) and wherein the method for effecting payment does not provide for any interaction between the buyer and the seller.(see column 5 lines 35-55 and column 13 line 65 and column 14 line 5).

As per claim 17, Bogosian discloses wherein the step of effecting payment includes the steps of deducting funds from a payment account corresponding to the buyer; and transferring at least a portion of the deducted funds to at least one payment account corresponding to the seller. (see column 5 lines 35-55 and column 13 line 65 and column 14 line 5).

As per claim 21, Bogosian discloses wherein the at least one input is received after the conclusion of an electronic auction conducted by the electronic auction system for the at least one item.

As per claim 22, Bogosian discloses further comprising the step of transmitting an e-mail to at least the seller.(see column 5 line 55).

As per claim 25, Bogosian discloses wherein the e-mail includes a link to a page for leaving comments regarding the payment transaction.(see column 13 line 65 and column 14 line 5 interpretive as claimed).

As per claim 26, Bogosian discloses wherein the e-mail includes a link to a page for displaying and/or printing payment transaction information. (see column 13 line 65 and column 14 line 5 interpretive as claimed).

As per claim 27, Bogosian discloses a method for effecting payment for at least one item offered for sale by a seller and purchased by a buyer via an electronic auction web site, where the electronic auction web site is accessible by a plurality of users and maintained by an electronic auction system, the method comprising the steps of, receiving at least one input from the buyer to initiate a payment method. (see column 5 lines 35-55 and column 13 line 65 and column 14 line 5) and initiating the payment method, wherein the payment method is at least one of deducting funds from a payment account corresponding to the buyer and loaning funds to the buyer for effecting payment, wherein the method for effecting payment does not provide for any interaction between the buyer and the seller.(see column 5 lines 35-55 and column 13 line 65 and column 14 line 5).

As per claim 32, Bogosian discloses, wherein the email includes a link to an electronic auction payment system, wherein the step of receiving at least one input from the buyer comprises the step of receiving an indication via the link to connect the buyer

to the electronic auction payment system, where the electronic auction payment system is in electronic operative communication with the electronic auction system via at least one of an Internet and a non-.Internet connection.(see column 5 lines 35-55 and column 13 line 65 and column 14 line 5) and wherein the step of sending the e-mail by the electronic auction system to the buyer is performed automatically without receiving any input from the seller or the buyer after a determination is made by the electronic auction system as to the identity of the buyer .(see column 5 lines 35-55 and column 13 line 65 and column 14 line 5).

As per claim 33, Bogosian discloses wherein the step of using at least a portion of the deducted funds to effect payment to at least the seller comprises the step of transferring at least the portion of the deducted funds to a payment account corresponding to the seller.(see column 5 lines 35-55) wherein the payment account corresponding to the buyer and the payment account corresponding to the seller are stored within a database system in electronic operative communication with the electronic auction system via at least one of an Internet and a non-Internet connection.(see column 4 lines 25-55).

As per claim 34, Bogosian discloses further comprising the step of automatically transferring funds to at least one of the payment account corresponding to the buyer and a payment account corresponding to the seller from at least one payment source corresponding to the buyer and at least one payment source corresponding to the seller, respectively.(see column 5 lines 35-55 and column 13 lines65 and column 14 line 5).

As per claim 35, Bogosian discloses further comprising the step of determining the identity of the buyer prior to sending the e-mail, and wherein the method for effecting payment does not provide for any action on the part of the seller after said determining step. (see column 5 lines 35-55 and column 13 line 65 and column 14 line 5).

As per claim 36, Bogosian discloses wherein prior to the step of deducting funds, further comprising the step of receiving authorization from the buyer to use at least one

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other method for effecting payment, besides deducting funds from the at least one payment account corresponding to the buyer.(see column 5 lines 35-55).

As per claim 40, Bogosian discloses further comprising the step of providing at least one incentive to the buyer and the seller, wherein the at least one incentive is selected from the group consisting of adding a predetermined amount of funds to the payment account corresponding to the buyer, adding a predetermined amount of funds to a payment account corresponding to the seller, paying shipping charges for the at least one item, offering at least one of the buyer and the seller at least one chance of winning a prize drawing, automatically entering at least one of the and the seller buyer in a periodic sweepstakes.(see column 5 lines 35-55)

As per claim 42, Bogosian discloses wherein the email includes a link to an electronic auction payment system, wherein the step of receiving at least one input from the buyer comprises the step of receiving an indication via the link to connect the buyer to the electronic auction payment system.(see column 13 line 65 and column 14 line 50) and wherein the electronic auction payment system is in electronic operative communication with the electronic auction system via at least one of an Internet and a non-Internet connection.(see column 5 lines 35-55 and column 4 lines 25-30).

As per claim 43, Bogosian discloses wherein at least one of the at least one payment account corresponding to the buyer and at least one of the at least one account corresponding to the seller are stored within a database system in electronic operative communication with the electronic auction system via at least one of an Internet and a non-Internet connection.(see column 4 lines 20-55).

As per claim 44, Bogosian discloses further comprising the step of automatically sending the e-mail by the electronic auction system to the buyer without receiving any input from the seller or the buyer after a determination is made by the electronic auction system as to identity of the buyer, wherein the e-mail includes a link to an electronic auction payment system.(see column 13 line 5 and column 14 line 5) and wherein the step of receiving at least one input from the buyer comprises the step of receiving an indication via the link to connect the buyer to the electronic auction payment system.(see column 13 line 5 and column 14 line 5 and column 5 lines 35-55) and

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wherein the electronic auction payment system is in electronic operative communication with the electronic auction system via at least one of an Internet and a non-Internet connection.(see column 4 lines 25-55).

As per claim 45, Bogosian discloses wherein the payment account corresponding to the buyer and at least one of the at least one payment account corresponding to the seller are stored within a database system in electronic operative communication with the electronic auction system via at least one of an. Internet and a non-Internet connection.(see column 4 lines 20-55).

As per claim 46, Bogosian discloses further comprising the step of automatically transferring funds to at least one of the payment account corresponding to the buyer and the at least one payment account corresponding to the seller from at least one payment source corresponding to the buyer and at least one payment source corresponding to the seller, respectively.(see column 5 lines 35-55).

As per claims 47-50, Bogosian discloses a method for effecting payment for at least one item offered for sale via an electronic commerce web site by a seller and purchased by a buyer, where the electronic commerce web site is accessible by a plurality of users for listing items for sale and purchasing listed items, the electronic commerce web site being maintained by an electronic commerce system, the method comprising the steps of: sending an e-mail by the electronic commerce system to the buyer of the at least one item(see column 5 lines 35-55 and column 13 line 65 and column 14 line 5)

receiving, via one of the electronic commerce web site and the e-mail, at least one input from the buyer indicating an initiation, to effect payment(see column 5 lines 35-55 and column 13 line 65 and column 14 line 5) and providing at least one payment page to the buyer after receiving the at least one input from the buyer(see column 5 lines 35-55 and column 13 line 65 and column 14 line 5) and receiving, via the at least one payment page, authorization from the buyer to effect payment to the seller of the at least one item(see column 5 lines 35-55 and column 13 line 65 and column 14 line 5) and effecting payment to at least the seller of the at least one item. (see column 5 lines 35-55 and column 13 line 65 and column 14 line 5).

As per claim 51, Bogosian discloses further comprising the step of using at least one other method for effecting payment besides deducting funds from the at least one payment account corresponding to the buyer.(see column 5 line 30).

As per claim 53, Bogosian discloses further comprising the step of retaining the transferred funds within the at least one account corresponding to the seller for a period of time before transferring at least a portion of the retained funds to an account corresponding to the seller.(see column 13 lines 50-60).

As per claim 54, Bogosian discloses a set of programmable instructions capable of being executed by at least one processor for performing a method for effecting payment for at least one item offered for sale via an electronic commerce web site by a seller and purchased by a buyer, where the electronic commerce web site is accessible by a plurality of users for listing items for sale and purchasing listed items, the electronic commerce web site being maintained by an electronic commerce system, the method for effecting payment comprising the steps of:

automatically sending an e-mail to the buyer after a determination is made as to identity of the buyer and without receiving any input from the seller or the buyer after said determination is made. (see column 5 lines 35-55 and column 13 line 65 and column 14 line 5) and receiving at least one input from the buyer via the e-mail(see column 5 lines 35-55 and column 13 line 65 and column 14 line 5) and providing at least one payment page to the buyer after receiving the at least one input from the buyer, at least one of the at least one payment page including payment authorization. means for receiving at least one payment authorization input from the buyer(see column 5 lines 35-55 and column 13 line 65 and column 14 line 5) and receiving the at least one payment authorization input from the buyer via the payment authorization means(see column 5 lines 35-55 and column 13 line 65 and column 14 line 5) and deducting funds from at least one payment account corresponding to the buyer to be used for effecting payment to the seller.(see column 5 lines 35-55 and column 13 line 65 and column 14 line 5).

As per claim 55, Bogosian discloses an integrated electronic commerce and electronic payment platform for effecting payment for at least one item offered for sale via an electronic commerce web site by a seller and purchased by a buyer where the

electronic commerce web site is accessible by a plurality of users for listing items for sale and purchasing listed items the electronic commerce web site being maintained by an electronic commerce system the integrated electronic commerce and electronic payment computer platform having application software for performing a payment method comprising the steps of receiving at least one input from the buyer indicating an initiation to effect payment.(see column 5 lines 35-55 and column 13 line 65 and column 14 line 5) and providing at least one payment page to the buyer after receiving the at least one input from the buyer.(see column 5 lines 35-55 and column 13 line 65 and column 14 line 5) and receiving, via the at least one payment page authorization from the buyer to use a particular payment method to effect payment to the seller.(see column 5 lines 35-55 and column 13 line 65 and column 14 line 5) and automatically determining in accordance with the particular payment method at least one payment account corresponding to the buyer for deducting funds therefrom deducting funds from the at least one payment account corresponding to the buyer.(see column 5 lines 35-55 and column 13 line 65 and column 14 line 5) and transferring at least a portion of the deducted funds to at least one payment account corresponding to the seller to effect payment to the seller, wherein the at least one payment account corresponding to the buyer and the at least one payment account corresponding to the seller are stored within a database system of the integrated platform. (see column 5 lines 35-55 and column 13 line 65 and column 14 line 5) and wherein data stored within the database system are accessible by the plurality of users via the electronic commerce web site.(see column 4 lines 30-40 and lines 60-65).

As per claim 56, Bogosian discloses wherein the method does not provide for any interaction between the buyer and the seller.(see column 5 lines 35-55).

As per claim 57, Bogosian discloses wherein the method further comprises, prior to the step of receiving at least one input from the buyer, the step of automatically sending an e-mail by the electronic commerce system without receiving any input from the seller or the buyer after a determination is made by the electronic commerce system as

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to the identity of the buyer, wherein the step of receiving at least one input from the buyer comprises the step of receiving an indication that the buyer has selected one of a link on the e-mail and an icon displayed on the electronic commerce web site.(see column 5 lines 35-55 and column 13 line 65 and column 14 line 5).

As per claim 58, Bogosian discloses wherein the payment method further comprises the step of using at least one other method for effecting payment besides deducting funds from the at least one payment account corresponding to the buyer.(see column 5 line 30).

As per claim 60, Bogosian discloses wherein the method further comprises the step of retaining the transferred funds within the at least one payment account corresponding

to the seller for a period of time before transferring at least a portion of the retained funds to an account corresponding to the seller, wherein said account is externally located from said database system.(see column 13 lines 50-60).

As per claim 61, Bogosian discloses wherein the electronic commerce system is an electronic auction system and the electronic commerce web site is an electronic auction web site.(see column 5 lines 35-55).

As per claim 62, Bogosian discloses effecting an immediate payment for at least one item offered for sale by a seller and purchased by a buyer via an electronic commerce web site, where the electronic commerce web site is accessible by a plurality of users and maintained by an electronic commerce system, the method comprising; the steps of receiving via the electronic commerce web site at least one input from the buyer indicating an initiation to effect the immediate payment(see column 5 lines 35-55 and column 13 line 65 and column 14 line 5) and providing at least one payment page to the buyer after receiving the at least one input from the buyer(see column 5 lines 35-55 and column 13 line 65 and column 14 line 5) and receiving via the at least one payment page, authorization from the buyer to transfer funds from at least one payment account corresponding to the buyer to at least one payment account corresponding to the seller(see column 5 lines 35-55 and column 13 line 65 and column 14 line 5) and

transferring funds from the at least one payment account corresponding to the buyer to the at least one payment account corresponding to the seller, in real-time to effect the immediate payment, wherein the method for effecting the immediate payment does not provide for any interaction between the buyer and the seller. (see column 5 lines 35-55 and column 13 line 65 and column 14 line 5)

As per claim 63, Bogosian discloses wherein the electronic commerce web site is an electronic auction web site and the at least one item is offered by the seller for an electronic auction sale, and wherein the at least one input from the buyer is received before any bids are received for the at least one item.(see column 5 lines 35-55).  
As per claim 64, Bogosian discloses further comprising the step of indicating shipping and handling costs for the at least one item on the at least one payment page.(see column 5 lines 35-55).

As per claim 66, Bogosian discloses wherein the at least one input is received after the conclusion of an electronic auction conducted by the electronic commerce system for the at least one item.(see column 13 line 65 and column 14 line 5).

As per claim 67, Bogosian discloses further comprising the step of providing a page indicating the amount of funds transferred to effect the immediate payment.(see column 5 lines 35-55 and column 13 line 65 and column 14 line 5).

As per claim 69, Bogosian discloses wherein the email includes a link to a page for leaving comments regarding the payment transaction.(see column 13 lines 65 and column 14 line 5).

As per claim 70, Bogosian discloses further comprising the step of transferring funds to at least one account corresponding to an operator of the electronic commerce system.(see column 5 lines 35-55).

As per claim 71, Bogosian discloses wherein the at least one payment account corresponding to the buyer and the at least one payment account corresponding to the seller are stored within a database of a payment system integrated with the electronic commerce system.(see column 4 lines 20-40).

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5. Claims 9-10, 18-19, 20, 23-24, 37-39, 41, 52, 59, 65, 68, are rejected under 35 U.S.C. 103(a) as being unpatentable over Bogosian et al (Hereinafter Bogosian U.S. Patent No. 6, 760, 470.

As per claim 9, Bogosian fail to teach further comprising the step of skipping the providing a payment page and receiving authorization steps if the at least one input is not received within a predetermined time period.

However skipping the providing a payment page and receiving authorization if the at least one input is not received within a predetermined time period is old and well known in the art entering transaction information because response time is very important when entering data in to a electronic form and when the data is not entered within a specific time period the transaction can be cancelled

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made the teachings of Bogosian to include skipping the providing a payment page and receiving authorization if the at least one input is not received within a predetermined time period is old and well known in the art entering transaction information because response time is very important when entering data in to a electronic form and when the data is not entered within a specific time period the transaction can be cancelled.

As per claim 10, Bogosian fail to explicitly teach further comprising the following steps prior to the deducting step:

determining whether notification has been received from the seller that payment has not been made by the buyer within a predetermined time period; and  
skipping the providing a payment page and receiving authorization steps, if it is determined that notification has been received.

However Bogosian discloses upon winning an auction or buying a fixed-price item, an email is sent to the buyer with a link to an Amazon.com Payments web page. If the buyer has enabled the 1-Click service, this page includes a button for paying immediately with the buyer's 1-Click settings otherwise, the user is prompted to specify payment and shipping information. (see column 13 line 50-65 and column 14 line 5) and for sellers that are not registered with Payments service, the buyer and seller must

normally contact each other to arrange for payment. For purposes of the remaining description, it may be assumed that the seller has registered to use payments. (see column 5 lines 20-30).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Bogosian to include determining whether notification has been received from the seller that payment has not been made by the buyer within a predetermined time period and skipping the providing a payment page and receiving authorization steps, if it is determined that notification has been received in order to insure receipt of payment for services or products whereby the seller can be notify prior to shipping any items.

As per claim 18, Bogosian fail to explicitly teach wherein the step of effecting payment includes the step of loaning funds to the buyer.

However effecting payment includes the step of loaning funds to the buyer.

loaned is old and well known in the art because loans are commonly made to accommodate different transactional needs for the borrower for example when buying items and using a credit card to pay for the items the amount used for the purchase is actually a loan on the credit card.

Therefore it would have been obvious to one of ordinary skill in the art to modify the teachings of Bogosian to include loaning funds to the buyer to effect payment during a transaction because loans and charging interest on the loans are commonly made to accommodate different transactional needs for the borrower for example when buying items and using a credit card to pay for the items the amount used for the purchase is actually a loan on the credit card.

As per claim 19, Bogosian discloses further comprising the step of displaying a page including a plurality of fields, the plurality of fields including a field providing an auction identification code corresponding to the at least one item, a field providing an identification name for the buyer, a field providing an identification name for the seller, and a field providing a description of the at least one item. (Note fig: 10-12).

As per claim 20, Bogosian fail to explicitly teach wherein the plurality of fields includes a field indicating if insurance was purchased by the buyer.

However fields indicating if insurance was purchased by the buyer is old and well known in the art because in a transaction insurance is needed to cover the cost in even of lost during shipping of the item and in some transaction insurance can be optional.

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made modify the teaching of Bogosian to include fields indicating if insurance was purchased by the buyer because in a transaction insurance is needed to cover the cost in event of a lost during shipping of an item, and further in some transaction insurance can be optional.

As per claim 23, Bogosian fail to explicitly wherein the e-mail indicates an address corresponding to the buyer, a description of the at least one item, a purchase price of the at least one item, and an identification code corresponding to the at least one item.

However Bogosian discloses instructing the seller by email to ship the product to the buyer.

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made that the email sent by Bogosian would have included e-mail that indicates an address corresponding to the buyer, a description of the at least one item, a purchase price of the at least one item, and an identification code corresponding to the at least one item in order to identify the buyer to the seller.

As per claim 24, Bogosian fail to explicitly teach wherein the e-mail indicates an identification name corresponding to the buyer, and an identification name corresponding to the seller.

However Bogosian discloses instructing the seller by email to ship the product to the buyer.

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made that the email sent by Bogosian would have included an e-mail that indicates an identification name corresponding to the buyer, and an identification name corresponding to the seller in order to identify the buyer to the seller.

As per claim 37, Bogosian fail to explicitly wherein one method of the at least one other method comprises the steps of loaning funds to the buyer for effecting payment and charging the buyer interest for the amount of funds loaned.

However loaning funds to the buyer to effect payment during a transaction and charging the buyer interest for the amount of funds loaned is old and well known in the art because loans and charging interest on the loans are commonly made to accommodate different transactional needs for the borrower for example when buying items and using a credit card to pay for the items the amount used for the purchase is actually a loan on the credit card.

Therefore it would have been obvious to one of ordinary skill in the art to modify the teachings of Bogosian to include loaning funds to the buyer to effect payment during a transaction because loans and charging interest on the loans are commonly made to accommodate different transactional needs for the borrower for example when buying items and using a credit card to pay for the items the amount used for the purchase is actually a loan on the credit card.

As per claim 38, Bogosian fail to explicitly teach further comprising the step of receiving authorization from the buyer to at least one of provide insurance coverage for the at least one item and guarantee the at least one item.

However authorization from the buyer to at least one of provide insurance coverage for the at least one item and guarantee the at least one item is old and well known in the art because in a transaction insurance is needed to cover the cost in event of lost during shipping of the item and in some transaction insurance coverage can be optional.

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made modify the teaching of Bogosian to include fields indicating if insurance was purchased by the buyer because in a transaction insurance is needed to cover the cost in event of lost during shipping of the item and in some transaction insurance coverage can be optional.

As per claim 39, Bogosian fail to explicitly teach further comprising the step of providing the buyer and the seller with a plurality of checks for drafting against the

payment account corresponding to the buyer and a payment account corresponding to the seller, respectively.

However providing the buyer and the seller with a plurality of checks for drafting against the payment account corresponding to the buyer and a payment account corresponding to the seller, respectively is done to effect payment from the buyer account in order to credit a seller account for an item purchased.

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Bogosian to include providing the buyer and the seller with a plurality of checks for drafting against the payment account corresponding to the buyer and a payment account corresponding to the seller, respectively is done to effect payment from the buyer account in order to credit a seller account for an item purchased.

As per claim 41, Bogosian fail to explicitly teach further comprising the steps of investing the funds within the at least one payment account corresponding to the buyer; and transferring at least a portion of funds earned by investing to the at least one payment account corresponding to the buyer.

However investing the buyer funds within the at least one payment account and transferring at least a portion of funds earned by investing to the at least one payment account corresponding to the buyer is old and well known because investment of funds are used to create a financial gain based on the return of that investment for the buyer. Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Bogosian because investment of funds are used to create a financial gain based on the return of that investment for the buyer.

As per claim 52, Bogosian fail to explicitly teach wherein the step of effecting payment includes the step of loaning funds to the buyer.

However effecting payment includes the step of loaning funds to the buyer.

Loaned is old and well known in the art because loans are commonly made to accommodate different transactional needs for the borrower for example when buying items and using a credit card to pay for the items the amount used for the purchase is actually a loan on the credit card.

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Therefore it would have been obvious to one of ordinary skill in the art to modify the teachings of Bogosian to include loaning funds to the buyer to effect payment during a transaction because loans and charging interest on the loans are commonly made to accommodate different transactional needs for the borrower for example when buying items and using a credit card to pay for the items the amount used for the purchase is actually a loan on the credit card.

As per claim 59, Bogosian fail to explicitly teach wherein the step of effecting payment includes the step of loaning funds to the buyer.

However effecting payment includes the step of loaning funds to the buyer. loaned is old and well known in the art because loans are commonly made to accommodate different transactional needs for the borrower for example when buying items and using a credit card to pay for the items the amount used for the purchase is actually a loan on the credit card.

Therefore it would have been obvious to one of ordinary skill in the art to modify the teachings of Bogosian to include loaning funds to the buyer to effect payment during a transaction because loans and charging interest on the loans are commonly made to accommodate different transactional needs for the borrower for example when buying items and using a credit card to pay for the items the amount used for the purchase is actually a loan on the credit card.

As per claim 65, Bogosian discloses wherein the transferring step further comprises the step of transferring funds loaned to the buyer for effecting the immediate payment.

However transferring funds loaned to the buyer for effecting the immediate payment is old and well known in the art because loans are commonly made to accommodate different transactional needs for the borrower for example when buying items and using a credit card to purchase items the amount used for the purchase is actually a loan on the credit card.

Therefore it would have been obvious to one of ordinary skill in the art to modify the teachings of Bogosian to transferring funds loaned to the buyer for effecting the immediate payment because loans and charging interest on the loans are commonly

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made to accommodate different transactional needs for the borrower for example when buying items and using a credit card to pay for the items the amount used for the purchase is actually a loan on the credit card.

As per claim 68, Bogosian fail to explicitly the step of transmitting an e-mail to at least the seller, wherein the e-mail indicates an address corresponding to the buyer, a description of the at least one item a purchase price of the at least one item, and an identification code corresponding to the at least one item.

However Bogosian discloses instructing the seller by email to ship the product to the buyer.

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made that the email sent by Bogosian would have included e-mail that indicates an address corresponding to the buyer, a description of the at least one item, a purchase price of the at least one item, and an identification code corresponding to the at least one item in order to identify the buyer to the seller.

#### Conclusion

6. The prior art of record and not relied upon is considered pertinent to Applicants disclosure.

Martin(US 6,304,860 Patent ) teaches automated depth payment system and method using atm network.

Altman (US Patent 5,689,649) teaches system for operation of a combination mortgage equity loan and saving plan .

George (US Patent 5,946,668) teaches system and method for funding a home investment trust.

Lloyd(US Patent 4876648) teaches system and method for implementing and administering a mortgage plan.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Clement B Graham whose telephone number is 703-305-1874. The examiner can normally be reached on 7am to 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hyung S. Sough can be reached on 703-308-0505. The fax phone numbers

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for the organization where this application or proceeding is assigned are 703-305-0040 for regular communications and 703-305-0040 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

CG

August 18, 2004

  
FRANTZY POINVIL  
PRIMARY EXAMINER  
*AA 3628*